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**FACSIMILE/TELECOPIER TRANSMISSION**

**From:** Name: Eugenia S. Hansen

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**To:** Name: Mail Stop Amendment, Commissioner for Patents  
 Company: United States Patent and Trademark Office  
 Facsimile#: 917038729306  
 Voice Phone:  
 Subject: U.S. Patent Application Serial No. 10/088,021

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Date: 5/12/2004 Time: 4:39:47 PM No. Pages (Including Cover): 3

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**Message:**

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11146/10904

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

Naomi L. Esmon, et al.

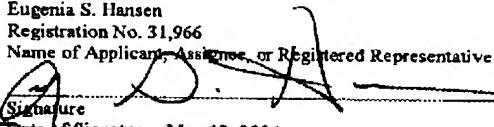
Application Serial No.: 10/088,021

Filing Date: July 26, 2002

Group Art Unit: 1651

Confirmation Number: 4924

Examiner: Sandra Saucier

For: **THROMBOTIC EPISODE RISK ASSAYS USING  
OXIDIZED PHOSPHOLIPIDS****BY FACSIMILE (703) 872-9306**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**CERTIFICATE OF TRANSMISSION**I hereby certify that this correspondence is being facsimile transmitted to the  
United States Patent and Trademark Office on May 12, 2004.Eugenia S. Hansen  
Registration No. 31,966  
Name of Applicant, Assignee, or Registered Representative(Signature)   
Date of Signature: May 12, 2004

Dear Sir:

**RESPONSE TO OFFICE ACTION**

Applicant is responding to the Office Action dated April 14, 2004 in the above-identified patent application. Claims 1-33 are pending in the application. Claims 1-33 are subject to a restriction/election requirement.

The present Office Action requires an election of one of the following claim groups, the Examiner indicating that the respective claim groups are drawn to distinct inventions:

Group I: Claims 1, 7-33, drawn to an assay using oxidized and non-oxidized phospholipids; and

Group II: Claims 2-6, drawn to a set of reagents comprising oxidized and non-oxidized phospholipids.

**RESPONSE TO OFFICE ACTION  
APPLICATION SERIAL NO. 10/088,021**

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Applicant elects the invention of Group I (identified above as corresponding to Claims 1, 7-33) to prosecute in the present application, with traverse. The claims are related as product (Group II) and method of use of that product (Group I). The claims of Group II can be amended to recite the special technical feature the Examiner believes is currently lacking.

No fee is believed to be incurred by this response. If a fee is required, however, please charge any fee necessary during the pendency of this matter (excepting an issue fee) to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

Respectfully submitted,

By:

Eugenia S. Hansen  
Registration No. 31,966

ESH:sb  
May 12, 2004  
SIDLEY AUSTIN BROWN & WOOD LLP  
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**RESPONSE TO OFFICE ACTION  
APPLICATION SERIAL NO. 10/088,021**

**PAGE 2 OF 2**